

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT
AND MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE
RULES. See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24.

FILED BY CLERK

AUG 21 2009

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

)	2 CA-JV 2009-0051
)	DEPARTMENT B
)	
IN RE ISAAC U.)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
)	Rule 28, Rules of Civil
)	Appellate Procedure

APPEAL FROM THE SUPERIOR COURT OF GRAHAM COUNTY

Cause No. JV5800

Honorable D. Corey Sanders, Judge

AFFIRMED

Harriette P. Levitt

Tucson
Attorney for Minor

E C K E R S T R O M, Presiding Judge.

¶1 Pursuant to a plea agreement encompassing both a delinquency petition and a petition to revoke his probation, the minor Isaac U. admitted allegations he had committed aggravated assault with a deadly weapon or dangerous instrument, weapons misconduct, and disorderly conduct with a weapon. He further admitted that the aggravated assault and weapons offenses were violations of his probation conditions. The juvenile court adjudicated

Isaac delinquent, revoked his probation, and ordered him committed to the Arizona Department of Juvenile Corrections (ADJC) for at least twelve months but not longer than his eighteenth birthday.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *In re Maricopa County Juvenile Action No. JV-117258*, 163 Ariz. 484, 486-87, 788 P.2d 1235, 1237-38 (App. 1989), avowing she has reviewed the entire record and found no arguable issue to raise on appeal. In compliance with *State v. Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d 89, 97 (App. 1999), she has provided “a detailed factual and procedural history of the case with citations to the record, [so] this court can satisfy itself that counsel has in fact thoroughly reviewed the record.”

¶3 Pursuant to our obligation under *Anders*, we have reviewed the record in its entirety and are satisfied it supports counsel’s recitation of the facts. Viewed in the light most favorable to upholding the juvenile court’s orders, *see In re John M.*, 201 Ariz. 424, ¶ 7, 36 P.3d 772, 774 (App. 2001), the evidence established that Isaac had first entered the juvenile court system at age thirteen. In the three years that followed, he had been adjudicated delinquent on felony charges multiple times and had previously failed to comply with the terms of both standard and intensive probation. The weapons charges that were the subject of this adjudication arose from Isaac’s possession of a gun that was fired to threaten others.

¶4 A factual basis supported Isaac’s admissions to the charged offenses and the petition to revoke his probation, and we find no error in the juvenile court’s conclusion that Isaac made those admissions knowingly, intelligently, and voluntarily.¹ Furthermore, the court’s disposition order reflects its consideration of our supreme court’s guidelines for the commitment of juveniles to ADJC as well as ADJC’s length-of-stay guidelines, and the court’s disposition was within its broad discretion. *See In re Themika M.*, 206 Ariz. 553, ¶ 5, 81 P.3d 344, 345 (App. 2003) (“A juvenile court has broad discretion in determining the proper disposition of a delinquent juvenile.”). Finding no reversible error and no arguable issue warranting further appellate review, *see Anders*, 386 U.S. at 744, we affirm the court’s adjudication, probation-revocation, and disposition orders.

PETER J. ECKERSTROM, Presiding Judge

CONCURRING:

J. WILLIAM BRAMMER, JR., Judge

PHILIP G. ESPINOSA, Judge

¹Because a transcript of the change-of-plea and adjudication hearing had been omitted from the record on appeal initially received from superior court and had not been reviewed by counsel, we reopened the record and ordered the transcript be filed. We then provided counsel an opportunity to review the transcript and file a supplemental brief if that review changed her determination that the case presented no arguable issue for appeal. Counsel did not file a supplemental brief.